

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/10/2023

----- X
DARRYL L. BATISTE,

Plaintiff,

-v -

THE CITY OF NEW YORK,

Defendant.
----- X

1:22-cv-9772-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

In a letter dated January 6, 2023, Plaintiff requested that the Court grant a 45-day extension of the January 9, 2023 deadline to submit an amended complaint to the Court's Pro Se Intake Unit. *See* Dkt. Nos. 3, 4. Plaintiff requested the extension because "[i]t was impossible to get the information [Plaintiff] needed from people and various City Agencies" due to the Thanksgiving, Christmas, and New Year's Day holidays. Dkt. No. 4.


Plaintiff's request for an extension of time to file an amended complaint, Dkt. No. 4, is granted in part. The Court's November 23, 2022 order provided Plaintiff with 45 days to amend his original complaint to include facts suggesting a plausible claim under the Fair Housing Amendments Act (the "FHAA"). Dkt. No. 3. The Court expected that establishing a deadline that was 45 days following its November 23, 2022 order would provide Plaintiff with substantial time to plead facts in support of the complaint that Plaintiff originally filed on November 16, 2022. However, in light of the Plaintiff's representation that he has faced difficulties in gathering information during the end-of-year holiday period, the deadline for Plaintiff to submit an amended complaint to this Court's Pro Se Intake Unit is extended to January 24, 2023. As a result, Plaintiff will have approximately two months to file an amended complaint pleading additional facts to state a valid claim for disability discrimination under the FHAA.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Mr. Batiste.

SO ORDERED.

Dated: January 10, 2023
New York, New York



GREGORY H. WOODS
United States District Judge